

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

ALVIN J. DUNCAN,

Plaintiff,

vs.

U.S. PRESIDENT ROBINETTE
BIDEN, SHERIFF MIKE LINDER,
SCOTT TWITO,

Defendants.

CV 24-02-BLG-SPW


ORDER

Before the Court are various motions filed by Plaintiff between July 17, 2024, and August 23, 2024, related to his ongoing attempt to invoke martial law in this case. (Docs. 23, 24, 25, 26).

Plaintiff appealed the Court's dismissal of his case on April 15, 2024, and the Ninth Circuit docketed the case on April 19, 2024. (Docs. 11, 12). Since Plaintiff has appealed the Court's decision on the same issues Plaintiff now raises in his motions regarding martial law, the Court does not have jurisdiction over the matter. *See Griggs v. Provident Consumer Disc. Co.*, 459 U.S. 56, 58 (1982) ("The general rule is that once a notice of appeal has been filed the district court is divested of jurisdiction over the matters being appealed."). Additionally, to the extent he asks for extensions for briefing in his appeal, the Court cannot grant an extension in another court's case. As such, the Court must deny the motions.

IT IS SO ORDERED that Plaintiff's motions (Docs. 23, 24, 25, 26) are DENIED.

DATED this 26th day of August, 2024.


SUSAN P. WATTERS
United States District Judge